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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/522,742	01/31/2005	Akira Kabeshita	2005_0138A	7326
52349	7590	01/16/2009	EXAMINER	
WENDEROTH, LIND & PONACK LLP. 2033 K. STREET, NW SUITE 800 WASHINGTON, DC 20006			TORRENTE, RICHARD T	
ART UNIT	PAPER NUMBER			
		2621		
MAIL DATE	DELIVERY MODE			
01/16/2009	PAPER			

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/522,742	<b>Applicant(s)</b> KABESHITA ET AL.
	<b>Examiner</b> RICHARD TORRENTE	<b>Art Unit</b> 2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 31 January 2005.

2a) This action is FINAL.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 7-14 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 7-14 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 31 January 2005 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-166/08)  
 Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date \_\_\_\_\_

5) Notice of Informal Patent Application

6) Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 7, 9, 10 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Nakahara et al. (US 2001/0032030) (IDS).

Regarding claim 7, Nakahara discloses a component placement recognition mark recognizing device (see abstract) for recognizing recognition marks (e.g. see 101 and 201 in fig. 6A) for component placement that are provided corresponding to component placement positions (see 301 in fig. 6A) where components are to be placed in a plurality of partition areas (see 302 in fig. 6B) on a board (see 31 in fig. 6A), the component placement recognition mark recognizing device comprising: a recognizing unit (see 15 in fig. 3 and 21 in fig. 5) for recognizing the recognition marks straightly disposed in the plurality of areas, and a moving device (see 10 in fig. 3) for running the recognizing unit at a generally uniform velocity (see 22 in fig. 5) in a deposition direction (see 23-26 in fig. 5) in which the recognition marks are straightly disposed, wherein the recognition marks are recognized with use of the recognizing unit while the recognizing unit is run by the moving device (see fig. 3 and P [0030]).

Regarding claims 9 and 12, Nakahara further discloses wherein the plurality of areas are made into one block (see 31 in fig. 4) and wherein the recognition marks for component placement that are located in a confronting pair of corners of the block (see 201 and 202 in fig. 4) and in different areas (see 201 and 202 in second block in fig. 4) are recognized with use of the recognizing unit.

Regarding claim 10, the claim(s) recite analogous limitations to claim 1, and is/are therefore rejected on the same premise.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 8, 11, 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakahara et al. (US 2001/0032030) (IDS).

Regarding claims 8 and 11, Nakahara does not disclose wherein the velocity at which the recognizing unit is run by the moving device is a velocity obtained from a distance between adjoining recognition marks divided by time required for capture of an image of the recognition mark.

Although it is not explicitly recited, it is conventional in the art for determining velocity by dividing a distance with time such as a distance between adjoining

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recognition marks divided by time required for capture of an image. The Examiner takes official notice that the calculation of velocity is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made utilize the notoriously well known calculation of velocity into Nakahara image recognizer for the benefit of synchronizing time with position based on velocity.

Regarding claims 13 and 14, the claim(s) recite analogous limitations to claim 9, and is/are therefore rejected on the same premise.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RICHARD TORRENTE whose telephone number is (571) 270-3702. The examiner can normally be reached on M-F: 7:30 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571) 272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Young Lee/  
Primary Examiner, Art Unit 2621

RT  
/Richard Torrente/  
Examiner, Art Unit 2621